IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

HON'BLE SRI JUSTICE V.V.S. RAO

W.P. No. 19773 OF 2005

Date: 13.09.2005

BETWEEN:

Jangam Chandrakala

.... PETITIONER

Vs.

1. The Station House Officer, Boodanpochampally Police Station, Nalgonda District, and others.

.... RESPONDENTS

HONOURABLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No. 19773 OF 2005

ORDER:

The petitioner purchased an extent of Acs.3.00 of agricultural wetland in S.Nos.293/E, 296/EE, 301/E, 295/E, 297/E, 298/E, 299/E, 300/E, 304/E, 305/E, 306/E of Pillaipally Village, Pochampally Mandal, Nalgonda District. She claims that she purchased the property from Jangam Ram Reddy. It appears the fourth respondent filed a suit being O.S.No.73 of 2004 on the file of Senior Civil Judge, Bhongir for cancellation of registered

sale deed under which the petitioner purchased the property. It appears, the fourth respondent made a representation on 6.7.2005 to the second respondent based on which the second respondent issued the impugned memo directing the petitioner not to enter into the lands, which she purchased from Jangam Ram Reddy. This is assailed in this writ petition.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue (General). Admittedly, the fourth respondent filed a suit before the Civil Court. Therefore, nothing prevents him to obtain appropriate interlocutory orders from the Civil Court. Indeed, the impugned order refers to I.A.No.214514 of 2004, which is filed by the fourth respondent. In such an event, the Mandal Revenue Officer has no power to prevent the petitioner, who allegedly purchased the property from Jangam Ram Reddy, from entering into the land. It would be however different matter, if any complaint is made under Section 145 of the Code of Criminal Procedure, 1973, or Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950 (for short 'the Tenancy Act'). A reading of the impugned order does not disclose that the action is referable to Cr.P.C. or the Tenancy Act. Therefore, the Writ Petition is disposed of at the stage of admission directing the Mandal Revenue Officer to consider the representation made by the fourth respondent, if any, after giving notice to the petitioner and pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order. Till then there shall be status quo as on today.

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(**V.V.S. RAO, J.)**

13th September, 2005

Note: C.C. tomorrow.

B/o

Js.